

Strategic Overview and Scrutiny Panel

Town Hall, Colchester
29 August 2012 at 6.00pm

The Strategic Overview and Scrutiny Panel look at policies and strategies from a borough-wide perspective and ensure the actions of the Cabinet accord with the policies and budget of the Council. The Panel reviews corporate strategies within the Council's Strategic Plan, overviews Council partnerships, considers the Council's budgetary guidelines for the forthcoming year, and scrutinises Cabinet decisions or Cabinet Member decisions (with delegated power) which have been called in.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda, which is usually published 5 working days before the meeting, and minutes once they are published. Dates of the meetings are available at www.colchester.gov.uk or from Democratic Services.

Have Your Say!

The Council values contributions from members of the public. Under the Council's Have Your Say! policy you can ask questions or express a view to meetings, with the exception of Standards Committee meetings. If you wish to speak at a meeting or wish to find out more, please refer to Attending Meetings and "Have Your Say" at www.colchester.gov.uk

Private Sessions

Occasionally meetings will need to discuss issues in private. This can only happen on a limited range of issues, which are set by law. When a committee does so, you will be asked to leave the meeting.

Mobile phones, pagers, cameras, audio recorders

Please ensure that all mobile phones and pagers are turned off or switched to silent before the meeting begins and note that photography or audio recording is not permitted.

Access

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Terms of Reference (but not limited to)

To review corporate strategies and strategic partnerships to ensure the actions of the Cabinet and Portfolio Holders accord with the policies and budget of the Council.

To monitor and scrutinise the financial performance of the Council, and make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions.

To link the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic / Action Plans.

To scrutinise executive decisions made by Cabinet or a Cabinet Member, the Colchester and Ipswich Joint Museums Committee and the North Essex Parking Partnership (decisions relating to off-street parking only) which have been made but not implemented, and referred to the Panel through call-in.

To monitor the Council's operational performance in relation to the Strategic Plan and Performance Indicators, and the Cabinet's performance in relation to the Forward Plan.

The panel will be the appropriate route for any member to refer a 'local government matter' in the context of Councillor Call for Action.

Process for Councillor Call for Action

Councillors have the ability to call for debate and discussion a topic of neighbourhood concern, limited to issues affecting a single ward, in an attempt to bring about specific solutions for local problems, without going through the Council's executive decision making process.

Members may not call for debate matters relating to a planning or licensing decision, an individual complaint or where a right of recourse to a review or right of appeal is already provided for in law. Examples of where a member can bring an action to the panel's attention are poor service performance or increased anti-social behaviour.

The panel may reject a request as not within the guidance or where they consider the usual channels have not been exhausted, or accept that an investigation is the appropriate action.

The panel may conduct an investigation in the usual scrutiny manner and a report with recommendations will be compiled and brought to the Council or partners attention, with the Council or partners having a duty to respond. The panel will consider and publish the responses to their recommendations and feed back this information to the Councillor requesting the action.

**COLCHESTER BOROUGH COUNCIL
STRATEGIC OVERVIEW AND SCRUTINY PANEL
29 August 2012 at 6:00pm**

Members

Chairman : Councillor Kevin Bentley.
Deputy Chairman : Councillor Beverly Davies.
Councillors Kim Naish, Nigel Offen, Gerard Oxford,
Helen Chuah, Bill Frame, Pauline Hazell, Peter Higgins and
Terry Sutton.

Substitute Members : All members of the Council who are not Cabinet members or members of this Panel.

Agenda - Part A

(open to the public including the media)

Members of the public may wish to note that agenda items 1 to 5 are normally brief and agenda items 6 to 9 are standard items for which there may be no business to consider.

Pages

1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched off or to silent;
- location of toilets;
- introduction of members of the meeting.

2. Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

3. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

4. Declarations of Interest

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgment of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

5. Minutes

1 - 10

To confirm as a correct record:-

- i) The minutes of the meeting held on 11 July 2012
- ii) The minutes of the meeting held on 17 July 2012

6. Have Your Say!

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should

indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

7. Items requested by members of the Panel and other Members

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

Members of the panel may use agenda item 'a' (all other members will use agenda item 'b') as the appropriate route for referring a 'local government matter' in the context of the Councillor Call for Action to the panel. Please refer to the panel's terms of reference for further procedural arrangements.

8. Referred items under the Call in Procedure

To consider any decisions taken under the Call in Procedure.

9. Decisions taken under special urgency provisions

To consider any Portfolio Holder decisions taken under the special urgency provisions.

10. Local Health and Wellbeing Arrangements - North East Essex Clinical Commissioning Groups

11 - 19

See Scoping Report, letters, and report from the Head of Life Opportunities.

Dr. Shane Gordon and Dr. Gary Sweeney, North East Essex Clinical Commissioning Group (NEE CCG) will attend the meeting and give a presentation on the role and local arrangements of NEE CCG and the progress on implementation.

Councillor Ann Naylor, Portfolio Holder for Health and Wellbeing, Essex County Council and Councillor Annie Feltham, Portfolio Holder for Communities and Leisure Services, Colchester Borough Council will attend the meeting and contribute to the discussions.

11. Work Programme

20 - 21

See report from the Head of Corporate Management.

12. Exclusion of the public

In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

STRATEGIC OVERVIEW AND SCRUTINY PANEL

11 JULY 2012

- Present :-* Councillor Terry Sutton (Chairman)
Councillors Helen Chuah, Pauline Hazell, Peter Higgins,
Kim Naish, Nigel Offen and Gerard Oxford
- Substitute Members :-* Councillor Dennis Willetts for Councillor Kevin Bentley
Councillor Sonia Lewis for Councillor Beverly Davies
Councillor Mark Cory for Councillor Bill Frame
- Also in Attendance :-* Councillor Lyn Barton
Councillor Martin Hunt
Councillor Anne Turrell
Councillor Tim Young

7. Referred items under the Call in Procedure

Councillor Tim Young addressed the Panel.

Councillor Young said the Monitoring Officer had advised him that he could make a personal statement to the Panel prior to the commencement of the hearing. Councillor Young thanked the Chairman for allowing him the opportunity to make his statement.

Councillor Young said he felt the final reason for calling in this decision, concerning the presumption for openness was a personal attack on his credibility and reputation. Councillor Young said following his own enquiry, the Monitoring Officer had confirmed to him that there is no conflict of interest with his dual roles of Chairman of Colne Housing and the Colchester Borough Council Cabinet Member, Portfolio Holder for Planning and Community Safety, and Councillor Young felt the two roles are positively beneficial and complimentary to each organisation.

Councillor Young informed the Panel that the work that ultimately led to the decision taken had commenced in November 2011 with walkabouts involving various Ward Councillors. This was long before he applied for the vacancy of the Chairman for Colne Housing in early March 2012, involving a thorough selection process that led to a final interview on 25 April 2012. The decision taken by Councillor Hunt was taken on 13 June 2012, and Councillor Young was appointed as Chairman of Colne Housing on 27 June 2012. Councillor Young confirmed he would commence his role as Chairman on 19 September 2012.

Councillor Young summarised by reiterating his belief that final reason stated for the call-in was a personal attack on his credibility and he was disappointed by the wording. Councillor Young thanked the Chairman for allowing him to make his statement and left the meeting.

Decision STR-001-12 “Hythe Forward” funding contribution

The Panel was asked to consider the decision STR-001-12 “Hythe Forward” funding, authorised by Councillor Martin Hunt, Deputy Leader of the Council on 13 June 2011.

The decision was called-in by Councillor Will Quince, supported by four other Councillors, believing the decision had not taken account of the following principles, Consideration of all the options available, having regard to due consultation, consideration of professional advice from officers, clarity of aims and desired outcomes and presumption for openness.

Presentation of the Call in

Councillor Quince addressed the Panel to explain the reasons for the call in.

Councillor Quince said he wanted to make clear he was not contesting the decision that had been taken, but was challenging the openness and transparency of the process that led to the decision. Councillor Quince said he did not have any objections or problems with the content of the report.

Councillor Quince said that in regards to the background of the decision, at the time leading up to the decision the communications between the opposition group and the Cabinet had been poor. This had since been addressed, for which he thanked the Leader, saying that had the improved situation been in place earlier, it could have avoided a call-in hearing, a point later confirmed to Councillor Cory.

In regards to the reasons for the call-in, Councillor Quince said he still sought clarification on the third and fourth reasons, ambiguity around the name of the company to which the contract should be let, and ambiguity around whether the payment was a loan, grant or investment. Councillor Quince noted the statement from Councillor Young, and said he did not believe the final reason for the call-in, concerning openness and transparency of the process, was a personal attack on Councillor Young's credibility or reputation.

Councillor Quince posed the question as to whether Councillor Hunt, signatory to the decision, knew that Councillor Young had an interest in the decision, in regards to his appointment of Chairman-elect, at the time the decision was authorised, and if so, why wasn't the interest disclosed? Councillor Quince asked what a reasonable local person would think of the integrity of the process that allowed a Borough Councillor to simultaneously be a Cabinet Member with Executive Powers and the Chair of the largest social landlord in the Borough, thereby answerable to two paymasters. He believed Councillor Young's position was untenable and it would be in the best interests of the Council if he resigned from his new position.

In response to Councillor Cory, Councillor Quince said he had spoken to the Monitoring Officer concerning the appropriateness of Councillor Young's dual roles, and that whilst not all the issues covered are specific within the Code of Conduct, he believed it was more a moral issue than a legal issue, a point later reiterated to Councillor P. Higgins.

Councillor Quince responded to Councillor Naish and Lewis in respect of financial probity, clarifying his question to whether other potential suppliers were consulted. Councillor Quince said the report needed more information about the business decision, and to indicate whether there is more than one organisation capable of carrying out a function and if so, what assessment was made.

Councillor Quince responded to Councillor G. Oxford, saying that in respect of dual roles, he did not think the same conflict existed for Councillors that hold two Executive roles in public authorities, for example, a Cabinet Member for Colchester Borough Council and Essex County Council.

Portfolio Holder Response

Councillor Hunt, Deputy Leader, addressed the Panel and responded to Councillor Quince.

Councillor Hunt explained that the decision was taken the day following a Leadership meeting, and was authorised by himself on 13 June due to the Leader being on holiday. Councillor Hunt believed the reasons behind calling in this decision were political, and that in respect of Councillor Young's new appointment, Councillor Hunt said he was unaware of this until he read it in the call-in papers. In response to Councillor Willetts, Councillor Hunt said that to his knowledge Councillor Young had not made any formal announcement concerning his new appointment. Councillor Hunt explained that the decision was taken the day following a Leadership meeting, and was authorised by himself on 13 June due to the Leader being on holiday. Councillor Hunt believed the reasons behind calling in this decision were political, and that in respect of Councillor Young's new appointment, Councillor Hunt said he was unaware of this until he read it in the call-in papers. In response to Councillor Willetts, Councillor Hunt said that to his knowledge Councillor Young had not made any formal announcement concerning his new appointment. Councillor Hunt also said there was no question that he wouldn't have signed-off the decision notice had he been asked to do so today, in a situation where Councillor Young was now appointed to his new post and had contributed to the pre-discussions and decision taken.

Councillor Hunt said he was happy to have the report amended so Colne Housing will read Colne Housing Society Limited (CHSL).

Councillor Hunt said the decision taken, to provide £30,000 of funding, was a level of spend that was not subject to the competitive tendering process and was a one-off payment to contribute towards the Hythe Forward Project.

Councillor Hunt apologised for the lack of clarity in the report in respect of the funding, explaining that if the investment generated funds the Council would receive refunds to offset against the original funding.

In response to Councillor Willetts and Councillor Lewis, Councillor Hunt said Mr. Robert Ashton was a leading commentator on the localism agenda and with representatives from CHSL gave a presentation to the Leadership meeting on 15 March 2012. The £30,000 funding would primarily be used to support the work of Mr. Robert Ashton as mentioned in paragraphs 4.4 of the Portfolio Holder report, with the funding approximately split £22,500 to Mr. Ashton and £7,500 to CHSL for secretarial support.

Councillor Offen said listening to the responses from Councillor Hunt, he felt the decision taken was reasonable, with no reason to be contested.

In Summary

Councillor Quince gave his closing remarks, thanking Councillor Hunt for his responses and clarification in respect of questions around the funding and procurement process.

Councillor Quince said this hearing was not about a political attack, but about perception of local people in respect of the reputation of the Council.

Whilst acknowledging that Councillor Hunt was unaware of Councillor Young's appointment at the time of authorising the decision, Councillor Quince asked shouldn't it be standard practice for a Portfolio Holder being appointed to a post such as Chairman of CHSL, to immediately notify all other Cabinet Members.

Conclusion

Councillor Offen proposed that the Panel confirm the decision. Having heard the presentations and responses from Councillor Quince and Councillor Hunt, he was of the opinion that the questions posed in relation to the first four points on the call-in form had been adequately answered, and that the appropriateness of dual roles for Cabinet members was not for the Panel to decide.

Councillor Willetts felt the Panel should request the Leader to review the process to determine whether additional procedures are necessary.

Councillor Anne Turrell, Leader of the Council, addressed the Panel to explain it was not in her gift to review and change as appropriate, procurement and Governance procedures, but was the responsibility of Council.

Councillor Willetts requested the Leader to review the moral and ethical issues raised, and make recommendations to Council for approval. Councillor Turrell said all Councillors have the right to table amendments to Council, and this was not a part of the Leader's remit.

Councillors T. Higgins and Naish both supported Councillor Offen's proposal to confirm the decision.

RESOLVED that the Panel confirmed the decision STR-001-12 "Hythe Forward" funding contribution (SIX voted FOR).

STRATEGIC OVERVIEW AND SCRUTINY PANEL

17 JULY 2012

Present :- Councillor Kevin Bentley (Chairman)
Councillors Helen Chuah, Beverly Davies,
Pauline Hazell, Peter Higgins, Kim Naish, Nigel Offen,
Gerard Oxford and Terry Sutton

Substitute Member :- Councillor Laura Sykes for Councillor Bill Frame

Also in Attendance :- Councillor Annie Feltham
Councillor Paul Smith

8. Minutes

The minutes of the meeting held on 12 June 2012 was confirmed as a correct record.

9. Essex County Council's Proposals for a Joint Health and Wellbeing Strategy

The following Councillors declared the following non-pecuniary interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5);

Councillor Bentley in respect of being a Member of Essex County Council.

Councillor Chuah in respect of being a retired employee of the NHS.

Councillor P. Higgins in respect of his spouse being a Member of Essex County Council.

Councillor Naish in respect of being a Board Member of Colchester Borough Homes, a Member of Sport England and a Member of Market Field School.

Councillor L. Sykes in respect of being a Board Member of Colchester Borough Homes.

Councillor Offen in respect of being a Board Member of Colchester Borough Homes, a Member of the Essex County Council's Health Overview and Scrutiny Committee and a retired employee of the NHS.

Presentation

Ms. Clare Hardy, Senior Manager: Health and Wellbeing, Essex County Council, and Mr. Stephen Lee-Foster, Strategic Policy, Essex County Council, gave a presentation to Members on the "Joint Health and Wellbeing Strategy – Consultation and Engagement".

Ms. Hardy explained that there is going to be changes to health commissioning. Based on national guidance, the changes will reflect the assessment of need outlined in the

Council's JSNA (Joint Strategic Needs Assessment). This will be an overarching framework from which a more detailed and specific commissioning plan is developed.

A Joint Health and Wellbeing Strategy (JHWBS) will be produced, giving strategic direction, shared priorities and shared outcomes. The JHWBS will be a concise and high level strategy, not a large technical document.

There will be a need to consider whether flexibilities to pool budgets and joined-up commissioning can be used to deliver the strategy.

Local Government changes will require greater democratic accountability, greater involvement by elected members.

Mr. Lee-Foster explained the two stage approach to the consultation and engagement process leading to the drafting of the strategy, and the Production Timeline that would lead to the publication of the JHWBS from October 2012 and implementation from April 2013.

General discussions

Members considered the governance arrangements and possible priorities for Essex's JHWBS.

Councillor Sykes said she wanted the strategy to ensure the new processes would provide an improvement to mental health care, with better social services support and medical monitoring.

Ms. Hardy said it was about driving the priorities into actions. There will be a need to explore how the different services can be joined-up (community budgets) to ensure people and their needs do not get missed, and with early intervention.

Councillor Higgins understood the point made by Councillor Sykes, saying nobody ever takes responsibility for the overall situation. Mr. Lee-Foster said one of the fundamental changes will be around stitching agencies and organisations together to ensure individual situations are addressed by bringing together all those involved. It was possible that Colchester could pilot cases as part of monitoring the effectiveness of the changes. Councillor Annie Feltham, Portfolio Holder for Communities and Leisure referred Members to Colchester Borough Homes "Problem Family Project" set-up to deal with such cases. Councillor Sykes, whilst appreciating what is being said in regards to joined-up work, believed what people want to see is noticeable practical improvements. Ms. Hardy understood the concern, but said there is a commitment to make the strategy work. Mr. Lee-Foster said it was the Government's intention to put the NHS closer to the patient, which was a challenging but realistic aspiration. The proof will be to look at the difference and progress made in a year's time.

In response to Councillor Bentley, Ms. Hardy said with regards to priorities such as giving children the best start and improving housing and living environment, and the involvement by Colchester Borough Homes and Housing Associations, Ms. Hardy said there will be a need locally to consider the current panels and forums, what is the best arrangement(s) for Colchester in the future and filter these into Health and Wellbeing.

Working alongside that will be Housing, with the need to determine how this is fed into the strategy.

Ms. Hardy responded to Councillor Offen by explaining that the Shadow Health and Wellbeing Board currently had 22 members and whilst under constant review, currently comprised of the following people.

- 6 Members from the Care Commissioning Groups (CCG) in Essex
- 1 Essex County Councillor
- 3 Directors from Public Health and Social Care bodies
- 1 representative from the local Healthwatch
- 3 Essex County Council Cabinet Members
- 1 Representative from social care
- 2 NHS Commissioning Board Members
- 1 Chief Executive Officer of Essex County Council
- 2 District Chief Executives from Essex
- 2 District Council Leaders

Councillor Offen said he did not think the current makeup of the Board would allow for expert views from e.g. hospitals and mental health services.

Councillor Bentley said that given the large scale of public funds spent by the NHS they remain the least accountable of the large public bodies, and he believed the HWB Board needed to be rebalanced to provide a larger proportion of elected members, and needed to utilise the practical medical and health experience of elected members. Councillor Davies said parish representation should also be considered and Councillor Bentley also said Chief Executive Officers needed to be replaced by elected members, and questioned whether elected members had to be Leaders.

Ms. Hardy said it would be very hard to have representation from all public bodies and agencies on the board. There are currently in excess of 280 Parish Councils in the County. It was felt the representatives from the District Councils also represented the Parish Councils. The County was split into four regions; north, south, east and west, and each of the four district chief officers and leaders on the Board represent one of the regions.

Mr. Lee-Foster explained that the list of possible priorities was drawn from the database of information already provided. Using statistics on things such as accidents, homelessness, smoking in pregnancy allowed for the database to grow, enabled benchmarking against national data, and helped build a picture for Essex and the districts.

Councillor Chuah said from her experience as a NHS nurse, trying to solve mental health issues is very important. There are a lot of different resources go into trying to deal with mental health issues and the future can only improve through joined-up thinking by the different agencies and organisations. Councillor Chuah asked that mental health was prioritised upwards in the list of priorities. Mr. Lee-Foster said the list encapsulates a theme of priorities though not ranked in order.

In response to Councillor Sutton, Ms. Hardy said the solution(s) to improving the needs for areas of deprivation is held at a county level, and the solutions will vary according to individual communities. CCG will be an important factor in determining these solutions, and these (and their boundaries) are developing, usually taking in 2 – 3 districts e.g. West Essex includes the districts of Harlow, Epping Forest and Uttlesford. The relationship between these and County may have to be developed.

In response to Councillor Hazell and whether the first listed priority “Raising attainment in schools” was appropriate for the Health and Wellbeing remit, Mr. Lee-Foster said it was a good point that officers are trying to reconcile. The strategy did not want to address the educational needs, but there needed to be a link with pre-school experiences. Councillor Davies said there was also a need to improve a currently poor careers advice service, with students being provided a career path.

Responding to Councillor Naish, Mr. Lee-Foster said it is understood that vulnerable people are less likely to engage and participate in consultation, but this will not diminish their needs and priorities. Small organisations and groups who currently work for, or represent these people are being spoken to.

Ms. Hardy said the priorities are aspirational. Integration (joined-up) of services would create savings that would enable funds to be released and used for addressing the priorities.

Ms. Hardy explained that providing quality palliative care was about end of life care, work of the hospices and ‘Hospital at Home’ services. This work remains a mixed model of public, private and voluntary services. Councillor Bentley said the Government should be lobbied to provide increased funding. With regard to the priority for keeping communities safe, Ms. Hardy said this was essentially about safeguarding and the work of many agencies including the Police, around work towards tackling alcohol and drug addiction, crime and community safety.

Councillor Offen and Councillor Chuah agreed that the strategy needed to embrace the development of the key worker / advocate culture.

Councillor Feltham said that following what was an interesting conversation she still remained concerned because the priorities are so wide, incorporating education, housing, health and community safety. She believed the strategy needed to have greater focus towards the improvement of the health of local people. Councillor Feltham said the Council did not have a direct responsibility for health and was not in a position to take on additional responsibilities, though the relationship between organisations with a statutory or non-statutory role was crucial if the strategy was to succeed, and Colchester Borough Council needed clarity around its statutory responsibility. Councillor Feltham said more thought was needed to ensure there is an improvement in the process to help individuals “have a voice”.

Councillor Feltham did not think the strategy was helpful to CCGs

Ms. Hardy said the comments from Members would be fed into the Consultation and Engagement process.

Mr. Lee-Foster summarised by saying the Members comments is noted, and he understood their concerns primarily around children, and the need to focus on their start in life and career development, rather than raising educational attainment. A need for better lifestyle chances. Older people should have the opportunity to remain independent for as long as possible. Finally, people needed to have a voice.

Councillor Bentley said it felt appropriate that a letter would be sent to The Leader of Essex County Council and the Chairman of Essex County Council's Health and Wellbeing Board encapsulating the points made by Panel Members.

Councillor Bentley thanked Ms. Hardy and Mr. Lee-Foster for attending the meeting and their contribution to the discussions.

RESOLVED that the Panel;

- i) Noted the presentation from officers on the outlined Joint Health and Wellbeing Strategy.
- ii) Agreed that the comments by Panel Members should be fed into the Consultation and Engagement process.
- iii) Agreed that a formal letter should be sent to the Leader of Essex County Council and the Chairman of Essex County Council's Health and Wellbeing Board setting out the points and concerns raised by the Panel.

10. 2013/14 Budget Strategy, Medium Term Financial Forecast and Budget Timetable

The following Councillors declared the following non-pecuniary interests in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5);

Councillor Bentley in respect of being a Member of Essex County Council.

Councillor P. Higgins in respect of his spouse being a Member of Essex County Council.

Councillor Naish, L. Sykes and Offen in respect of being Board Members of Colchester Borough Homes.

Mr. Sean Plummer, Finance Manager, presented the 2013/14 Budget Strategy report, including the Medium Term Financial Forecast and Budget Timetable.

Mr. Plummer provided some context to the report. The report represented the start of the Budget process, and took stock of what has happened in the last financial year.

There are many changes within the Budget, reflecting a change in funding streams and changes in legislation e.g. The Business Rates Retention Scheme, Council Tax

benefits within the welfare reform, and the uncertainty due to the economic downturn, impacting on fees, charges and service demands.

Mr. Plummer said the overview situation was a current budget forecast gap of £812,000 for 2013/14 (details of how this figure is derived and drawn to Members attention was illustrated in paragraph 4.2 of the report).

Councillor Paul Smith, Portfolio Holder for Business and Resources drew Members attention to Risk Areas identified within the report, and where the outcomes remain uncertain, and welcomed comments from the Panel. Councillor Offen said the future is so uncertain, and it is very difficult to have a comprehensive budget without including risk areas, and this has been done.

Mr. Plummer confirmed to Councillor Bentley that the £2,000 contribution to the Police and Crime Panel would be a contribution made by Colchester and all that other districts were making their own contributions.

In response to Councillor Bentley, Mr. Plummer said there is no contingencies specifically set-out in the budget for community budgets. Where common areas of work are identified resources can be pooled for funding. Welfare reform is an area where Colchester is working with Essex County Council. Councillor Bentley said engagement with Essex County Council was crucial on 'City County Deal' and Members needed to understand this initiative because of the likely positive financial impact.

Councillor Smith confirmed to Councillor Naish that the risk associated with park and ride was the impact of the scheme on town centre car park revenue streams.

Mr. Plummer clarified that the £100,000 of revenue balances with a delegated approval to the Leader of the Council provided the ability to spend on potential unplanned items of expenditure, but that this sum of money is not provided for within the budget. It was confirmed that the proposal agreed by Cabinet was to reinstate the limit of this delegation back to £100,000.

Mr. Plummer said discussions with the business community continued throughout the year, though the formal statutory meeting would be arranged at the end of December, early January once there is more certainty on the final budget proposals.

RESOLVED that the Panel considered and noted the 2013/14 Budget Strategy, Medium Term Financial Forecast and Budget Timetable.

11. Work Programme

The Panel agreed that the review of Public Transport should be scheduled for a meeting date as close to the opening of the new Bus Station, probably at the start of the New Year.

RESOLVED that the Panel commented on, and noted the Work Programme 2012/13.

Committee	Strategic Overview and Scrutiny Panel	
Topic	Local Health and Wellbeing Arrangements North East Essex Clinical Commissioning Groups	Ref: SCR/2/12-13
Objective	The Panel is asked to consider the role and local working arrangements for the North East Essex Clinical Commissioning Group (NEE CCG) and the possible impact on the Borough Council and local residents.	
Reasons for undertaking review and progress to date Note: One of the Council's core governance principles is engagement with partners and stakeholders to ensure public accountability.	<p>As agreed by the Panel:-</p> <p>17 July 2012 – “Review of the development of Essex County Council’s proposed Health and Wellbeing Strategy”</p> <p>Following the July review the Chairman of SOSP wrote to Councillor Martin, Leader of Essex County Council. This letter and Councillor Martin’s response is attached for information.</p> <p>29 August 2012 – “Review of local Health and wellbeing arrangements, including Clinical Commissioning Groups”.</p> <p>In 2013 (tbc) – “Review of the Essex County Council’s Health and Wellbeing Strategy” To consider the impact on local services such as older people, public health and leisure, with invitations to local groups such as Age UK and the Alzheimer’s Society.</p> <p>Note: The Essex Health and Wellbeing Board commence full statutory commitments on April 2013, with the new strategy taking effect from this date.</p>	
Approach	Dr. Shane Gordon and Dr. Gary Sweeney (North East Essex Clinical Commissioning Groups) will give a presentation on the role and local working arrangements of NEE CCG and progress on implementation.	
Membership	Full Panel	
Supporting documentation	Report from the Head of Life Opportunities inviting Panel Members to consider local health and wellbeing arrangements and the role and development of the North East Essex Clinical Commissioning Group.	

<p>Representatives</p>	<p>The following persons will attend this meeting;</p> <p>NEE CCG Dr. Shane Gordon, Chief Executive Officer, North East Essex Clinical Commissioning Groups Dr. Gary Sweeney, North East Essex Clinical Commissioning Groups</p> <p>Councillors Councillor Ann Naylor, Portfolio Holder for Health and Wellbeing, Essex County Council Councillor Annie Feltham, Portfolio Holder for Communities and Leisure Services</p> <p>Officers Ms. Clare Hardy, Senior Manager for Health and Wellbeing, Essex County Council Ms. Alison Woolnough, Public Health Specialist, NHS North Essex / Colchester Borough Council Ms. Lucie Breadman, Head of Life Opportunities Ms. Bridget Tighe, Community Initiatives Manager</p>		
<p>Future Action</p>			
<p>Governance Officer</p>	<p>Robert Judd Democratic Services Officer</p>	<p>Committee Officer</p>	<p>-</p>
<p>Lead Officer(s)</p>	<p>Pam Donnelly, Executive Director</p>		



Councillor Kevin Bentley
Chairman of Strategic Overview and Scrutiny
Colchester Borough Council
33 Sheepen Road
COLCHESTER CO3 3WG

Councillor Peter Martin
Leader of Essex County Council
County Hall
Market Road
CHELMSFORD
CM1 1QH

Contact Robert Judd
Phone 01206 282274
Email Robert.judd@colchester.gov.uk
Your ref -
Our ref SOSP/01/17-07-12
Date 30 July 2012

Dear Councillor Martin

Reference: Proposals for the Joint Health and Wellbeing Strategy

At the commencement of this year Colchester's Strategic Overview and Scrutiny Panel agreed to undertake three Health and Wellbeing reviews during 2012-13.

The reviews focused on the Development of Essex County Council's Proposed Health and Wellbeing Strategy, consideration of local health and wellbeing (HWB) arrangements, including Clinical Commissioning Groups and an overview of the likely impact of the Health and Wellbeing Strategy on local services such as older people, public health and leisure.

The first of these meetings was undertaken on 17 July 2012, and Ms. Clare Hardy and Mr. Stephen Lee-Foster, strategy officers from Essex County Council, attended the meeting and gave a presentation to Members on the "Joint Health and Wellbeing Strategy – Consultation and Engagement". Following dialogue between Members and officers it was agreed that I should write to you on behalf of the Committee expressing some of the issues and concerns raised during the discussions.

The discussions focused on the priorities listed within the presentation slides and Members expressed the following points;

In respect of Governance, the Committee feel there has to be greater democratic accountability, greater involvement from elected members. The Shadow Health and Wellbeing Board currently comprises of 22 members, of which only a third are democratically elected. Given the huge scale of public money involved within the services providing health and wellbeing, the Committee felt the HWB Board needed to be rebalanced to provide a larger proportion of elected members, and needed to utilise the practical medical and health experience of elected members. The Committee also felt that the Chief Executive Officers needed to be replaced by elected members.

"Raising attainment in schools" – Whilst the Committee fully support raising the



INVESTOR IN PEOPLE

educational needs of children, they did not think this was appropriate for the HWB Strategy. In terms of HWB, the Committee felt the strategy should address children's start in life, their pre-school experiences, plus their post-school experiences such as careers advice and a career path.

The Committee felt the strategy needed to embrace the development of the key worker and advocate culture. Whilst it was understood that this culture was generally accepted in mental health work, members said this needed to be more widely accepted across all services if there was to be an improvement in health and wellbeing. It was felt this would be a good step towards a priority to provide better lifestyle chances to all, and would include the opportunity for older people to remain independent for as long as possible.

I hope the Committee's comments accord with the thinking at County Hall and are positively fed into the consultation process.

We will continue this overview of HWB with a review of future local arrangements, including Clinical Commissioning Groups at Colchester Town Hall, at 6pm on 29 August 2012. Councillor Ann Naylor, officers from Essex County Council and Dr Shane Gordon and Dr Gary Sweeney from the CCG will be attending. It goes without saying that you would be more than welcome to join us at this review.

Thank you for your time and please do not hesitate to contact me should you require any further information.

Yours sincerely

Councillor Kevin Bentley
Chairman Strategic Overview and Scrutiny Panel
Colchester Borough Council

Copies to;
Councillor Ann Naylor, Portfolio Holder Health and Wellbeing, Essex County Council
Councillor Graham Butland, Chairman Health Overview and Scrutiny Committee, Essex County Council

Textphone users dial 18001 followed by the full number that you wish to call.

Essex County Council
Leaders Office
County Hall
Duke Street
Chelmsford, CM1 1LX



Councillor K Bentley
Chairman of Strategic Overview and Scrutiny
Colchester Borough Council
33 Sheepen Road
Colchester
CO3 3WG

Our Ref: PM/AC

Your Ref: SOSP/01/17-07-12

Date: 7th August 2012

Dear Kevin

Thank you for your letter dated the 30th July, the feedback from your Scrutiny Panel is welcome.

Membership of Health and Wellbeing board (HWB) and democratic accountability

There are statutory requirements for the HWB membership and the membership is therefore not entirely at our discretion. However, we are about to start a self-assessment and I will ensure that your comments are fed into this. I understand that Cllr Ann Naylor and others are attending your meeting on the 29th of August and she will be able to lead on further discussions with you then.

Prioritisation

Feedback so far has shown the most popular priority was “giving every child the best start in life” and most groups taking part in the prioritisation exercise saw “raising attainment in schools” as closely linked to the “best start”. Taken together, this accords with the marmot recommendations; “giving a child a good start”, “preparing the child for entry to school”, “raising attainment” and delivering a “young adult fit and qualified to enter the world of work”.

It is possible to look at these issues from different viewpoints and Ann has been exploring these with a Member Reference Group to help to move from a Public health Vision to a strategy, to a development plan. Perhaps this could form part of your discussion on the 29th.

Advocacy

Advocacy is important and the need for this has been stressed in the Health and Social Care Act – however, it is already widely used. Within ECC we have an on-going piece of work looking at advocacy to decide how best to target it and how to fund it. You are quite right that this would be a good step towards a priority that could provide better lifestyle chances to all.

There is recognition that Colchester has an excellent track record in the area of Health and Wellbeing. Colchester Borough Council was the top performing County District in the Audit Commission review of health inequalities work and devised, piloted and funded the model of joint working at district level in Public health which is now considered best practice and is being replicated across the county.

There are great opportunities in the move to Clinical Commissioning Groups and the development of the HWB together with the transfer of public health to local authorities. The enthusiasm and desire to be involved of your district members is very important to us and we will make sure that your comments are taken up. When Ann and colleagues visit to attend your scrutiny meeting on the 29th perhaps some more discussion can take place and your thoughts and comments will be considered by the Health and Wellbeing Executive. Thank you again for your sharing your comments and do not hesitate to contact me again.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter', with a checkmark at the end.

Councillor Peter Martin
Leader, Essex County Council

Telephone: 01245 430670

Email: peter.martin@essex.gov.uk

Internet: www.essex.gov.uk



Strategic Overview and Scrutiny Panel

Item
10

29 August 2012

Report of	Head of Life Opportunities	Author	Bridget Tighe ☎ 282104
Title	North East Essex Clinical Commissioning Group		
Wards affected	All		

The Panel is invited to consider the local implications of the implementation of the Health and Social Care Act 2012, including the role and development of the North East Essex Clinical Commissioning Group

1. Action required

- 1.1 Following the presentations from key CCG representatives, the Panel is asked to consider the role and local working arrangements for the North East Essex Clinical Commissioning Group and the possible impact on the Borough Council and local residents.

2. Reason for scrutiny

- 2.1 At the commencement of the year, the panel agreed to undertake three Health and Wellbeing reviews during 2012-13 to consider the changes to the organisation of health services in Colchester.
- 2.2 At the last meeting the panel discussed, with representatives from the Essex Health and Wellbeing Board, the proposed priorities for the new Health & Wellbeing Strategy.
- 2.3 This, the second meeting of the three, is to look at the role and local working arrangements for the North East Clinical Commissioning Group. The Panel will receive presentations from key CCG representatives.

3. Background information

- 3.1 The Health and Social Care Act 2012 comes into force on 1 April 2013.

Key changes include:

- Transfer of most health service commissioning from Primary Care Trusts to Clinical Commissioning Groups (CCGs);
- Transfer of most of the Public Health function, including the Director of Public Health, from Primary Care Trusts to upper tier or unitary local authorities;
- Creation of Public Health England to deliver health protection services and provide strategic guidance;
- Creation of Health and Wellbeing Boards (HWB) at upper or unitary local authorities to ensure that NHS, health improvement and social care services are meeting the local need identified in the Joint Strategic Need Assessments (JSNA);
- Creation of Local HealthWatch to replace Local Involvement Networks and to provide the 'consumer voice' on health and social care services.

4. Local arrangements

North East Essex Clinical Commissioning Group

- 4.1 Significant changes, in-line with national policy, are currently taking place within the organisations that commission local healthcare services. North Essex PCT will cease to exist at the end of March 2013. The North East Essex CCG, covering Tendring District and Colchester Borough, will take over most commissioning of local health services from 1st April 2013. It is currently going through an authorisation process.
- 4.2 NEE CCG is also developing its commissioning plans to address local health priorities, and its proposals to engage with public, patients and other local organisations. More information on these issues will be available to the Panel at the meeting on 29 August.
- 4.3 The NEE CCG is represented on the Essex Health and Wellbeing Board.
- 4.4 Amongst the services which the CCG is likely to continue to commission and which involve the Council are Virtual Wards, commissioned from Anglian Community Enterprise, and Telehealth, commissioned from the Council.

Essex Public Health Team and its links with the CCG and Council

- 4.5 The North Essex Public Health Team is moving to Essex County Council (ECC) as part of a new county-wide team. It is represented on the Essex Health and Wellbeing Board by the Director of Public Health for Essex, Dr Mike Gogarty. This team includes the Health Intelligence function, which will support CCGs and will develop the JSNAs for the Essex Health and Wellbeing Board.
- 4.6 The Essex Public Health Team also includes the Health Improvement Team which, through designated Senior Public Health Specialists, has links with all Essex District and Borough Councils. Their role is to promote joint working to address local health need. They also provide a link with CCGs as they work with the Public Health Consultants who support the CCGs. The consultant linked to NEE CCG is Dr Jo Broadbent and the Public Health Specialist working with Colchester Borough Council is Alison Woolnough.
- 4.7 The Council has a number of services which are currently commissioned by the Public Health Team at North Essex PCT. These include LEAP, Health Walks and Big Garden. Future commissioning decisions regarding these services will, from April 2013, be made by the Essex Public Health Team.

5. Strategic Plan references

- 5.1 This report concerns the strategic plan reference of working in partnership to help tackle health and crime issues.

6. Other Standard References

- 6.1 There is no publicity, equality and diversity, human rights, community safety, health & safety, risk management or financial implications in this matter.

Background Papers

More information on the measures included in the Health and Social Care Act can be found at the following links:

North East Essex Clinical Commissioning Group

<http://www.neessexccg.nhs.uk/Home.html>

A fact sheet on clinically led commissioning:

<http://www.dh.gov.uk/health/files/2012/02/B1-Clinically-led-commissioning1.pdf>

Health & Social Care Act explained:

<http://www.dh.gov.uk/health/2012/06/act-explained/>

Overview of health and care structures:

<http://www.dh.gov.uk/health/files/2012/06/A3.-Factsheet-Overview-of-health-and-care-structures-240412.pdf>



Strategic Overview and Scrutiny Panel

Item
11

29 August 2012

Report of	Head of Corporate Management	Author	Robert Judd Tel. 282274
Title	Work Programme 2012-13		
Wards affected	Not applicable		

**This report sets out the 2012-13 Work Programme for the
Strategic Overview and Scrutiny Panel**

1. Action Required

1.1 The Panel is asked to consider and note the work programme for 2012-13.

2. Reason for Action

2.1 This function forms part of the Panel's Terms of Reference in the Constitution.

3. Setting the Work Programme

3.1 Overview and scrutiny needs to be member-led, with Members proactive in determining the work programme and ensuring its relevance to the future needs of the Council.

3.2 Members need to take a lead on the work to be undertaken, focusing on strategic and significant issues, and the programme will need to be flexible to allow for relevant other items to be included. Officers will play their full part in supporting the scrutiny function in a positive and participative manner.

4. Standard and Strategic Plan References

4.1 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self governance provides a clear and demonstrable lead. Effective governance, of which scrutiny is a part, underpins the implementation and application of all aspects of the Council's work.

4.2 Scrutiny is a key function to ensure decisions have been subject to full appraisal and that they are in line with the Council's strategic aims. The role of scrutiny is also an important part of the Council's risk management and audit process, helping to check that risks are identified and challenged.

4.3 There is no publicity, equality and diversity, human rights, community safety, health and safety, risk management or financial implications in this matter.

Meeting date / reviews	Portfolio
12 June 2012 1. Annual Scrutiny Report 2. 2011-12 Year-end Performance Report and Strategic Plan Action Plan	Leader / Communities & Leisure
11 July 2012 1. Call in hearing – Decision STR-001-12 Hythe Forward funding contribution	Deputy Leader / Street and Waste Services
17 July 2012 1. ECC Joint Health and Wellbeing Strategy – ECC presentation on proposals (submissions to ECC by 31-July-12. Strategy presented to September's ECC HWB. Clare Hardy, Senior Manager ECC HWB to give a presentation. 2. Budget Strategy, Timetable and MTFF	Communities and Leisure Leader / Business & Resources
29 August 2012 1. HWB – Local arrangements, including the work and progress of Clinical Commissioning Group (CCG) Cllr Ann Naylor, ECC PH HWB and Clare Hardy to attend. Dr Gordon and Dr Sweeney (CCG) to attend. A 2013 meeting to be arranged to review the outcomes from the new Strategy	Communities and Leisure
18 September 2012 1. Safer Colchester Partnership (Crime and Disorder Committee)	Planning, Community Safety
23 October 2012 1. Pre Cabinet review of Fundamental Service Review of Customer Contact 2. Localising Council Tax Support	Cabinet Business and Resources
11 December 2012 1. 2012-13 6-monthly Performance report and Strategic Plan Action Plan	Leader / Communities & Leisure
15 January 2013 1. Members Locality Budgets (provisional)	
12 February 2013	
19 March 2013 Public Transport in the Borough (following the opening of the new bus station) PH Renaissance This review is primarily about the effect of the new bus station (Bus Operators to be invited) and the SPAP “Congestion Busting” action to reduce traffic, bus reliability and air quality, plus updates to Members on the Northern Approaches Road and Busway, and the delivery of Park and Ride to Colchester.	

Welfare Reform – Pre-scrutiny

